

JUDGE KEENAN

FRIEDMAN, JAMES & BUCHSBAUM LLP  
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ZAHIA SALEH, individually and as personal  
representative of the Estate of KHALED G.  
MUNASSAR, deceased, and for the benefit of all  
distributees of KHALED G. MUNASSAR,  
deceased,

PLAINTIFF DEMANDS  
A TRIAL BY JURY

Plaintiff,

-against-

MAERSK LINE, LIMITED

Defendant.  
----- X

COMPLAINT

SEAMAN'S CASE UNDER  
THE JONES ACT FOR  
PERSONAL INJURIES

**SUIT UNDER SPECIAL RULE FOR SEAMEN TO SUE  
WITHOUT SECURITY OR PREPAYMENT OF FEES  
FOR THE ENFORCEMENT OF THE LAWS OF THE  
UNITED STATES, COMMON AND STATUTORY FOR  
THE PROTECTION OF AND FOR THE HEALTH AND  
SAFETY OF SEAMEN AT SEA**

Plaintiff, ZAHIA SALEH, individually and as personal representative of the  
Estate of KHALED G. MUNASSAR, deceased, and for the benefit of all distributees of  
KHALED G. MUNASSAR, deceased, complaining of the defendant MAERSK LINE,  
LIMITED, by her attorneys, FRIEDMAN, JAMES & BUCHSBAUM LLP, respectfully alleges  
upon information and belief as follows:

**Nature of Action:**

1. This action is brought pursuant to the Jones Act, 46 U.S.C § 30104 and the general maritime law of the United States, seeking monetary damages as a result of the drowning death of merchant mariner KHALED G. MUNASSAR, a United States citizen employed by defendant as bosun aboard the United States merchant vessel M/V “Sea-Land Intrepid,” on or about February 10, 2014 in the Pacific Ocean approximately 710 miles northeast of Tokyo, Japan.

**Jurisdiction and Venue:**

2. This Court has jurisdiction pursuant to the Jones Act, 46 U.S.C § 30104 and the general maritime law of the United States in that decedent KHALED G. MUNASSAR was serving as a seaman aboard a vessel in navigable waters and sustained injury eventually resulting in his death while in the course of his employment at the time of the incident giving rise to this action.

3. Venue is proper in this District pursuant to 45 U.S.C. § 56, as incorporated by the Jones Act, 46 U.S.C. § 30104, inasmuch as defendant MAERSK LINE, LIMITED does business within this District and is authorized to transact business within the State of New York.

**Parties:**

4. Plaintiff, ZAHIA SALEH, a citizen and resident of the State of Michigan, is the wife of decedent KHALED G. MUNASSAR and has been appointed personal representative of the Estate of KHALED G. MUNASSAR by the Probate Court of Wayne County, Michigan. A copy of the Letters of Authority for Personal Representative appointing

ZAHIA SALEH as personal representative of the Estate of KHALED G. MUNASSAR is annexed hereto.

5. In addition to his wife, plaintiff's decedent, KHALED G. MUNASSAR, left surviving five (5) minor children, all of whom are United States citizens, current ages 2, 9, 13, 15 and 17.

6. At all relevant times, defendant MAERSK LINE, LIMITED was and still is a corporation or other entity organized and existing pursuant to the laws of the State of Delaware authorized to transact business in the State of New York.

7. At all relevant times, defendant owned the United States merchant vessel "Sea-Land Intrepid."

8. At all relevant times, defendant operated the United States merchant vessel "Sea-Land Intrepid."

9. At all relevant times, defendant controlled the United States merchant vessel "Sea-Land Intrepid."

10. That at all times and dates hereinafter mentioned, the plaintiff's decedent KHALED G. MUNASSAR was a member of the crew of the United States merchant vessel "Sea-Land Intrepid" and an employee of defendant.

11. That on or about February 10, 2014, without any fault on the part of the plaintiff's decedent, and wholly and solely by reason of the negligence, recklessness and carelessness of defendant and its servants, agents and/or employees, and by reason of the unseaworthiness of the United States merchant vessel "Sea-Land Intrepid," plaintiff was caused to sustain serious personal injuries, fear of impending death and conscious pain and suffering

as a result of being washed overboard from the merchant vessel "Sea-Land Intrepid," eventually resulting in his death by drowning.

12. As a result of the casualty set forth above, plaintiff's decedent, KHALED G. MUNASSAR was caused to sustain excruciating conscious pain and suffering, and fear of impending death by drowning; his wife, plaintiff ZAHIA SALEH, and his minor children, current ages 2, 9, 13, 15 and 17 were caused to sustain pecuniary and other losses including, but not limited to, the loss of financial support, loss of the value of the services of the decedent, loss of the nurture and guidance of the decedent, loss of the decedent's continued accumulation of an inheritable estate, and a loss of the society and consortium of the decedent, for which the plaintiff seeks recovery of damages herein individually and for the benefit of the decedent's minor children as aforesaid.

**WHEREFORE**, plaintiff ZAHIA SALEH, individually and on behalf of all distributees of KHALED G. MUNASSAR, deceased, demands judgment against defendant MAERSK LINE, LIMITED in the amount of FIFTEEN MILLION (\$15,000,000.00) DOLLARS; together with the costs, interest and disbursements of this action, and such other and further relief as this Court deems just and proper.

Dated: New York, New York  
July 28, 2014

FRIEDMAN, JAMES & BUCHSBAUM LLP  
Attorneys for Plaintiff

By: 

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STATE OF MICHIGAN  
PROBATE COURT  
COUNTY OF WAYNELETTERS OF AUTHORITY FOR  
PERSONAL REPRESENTATIVEFILE NO.  
2014-798959-DA  
Judge Martin T MaherEstate of Khaled Ghaleb Munassar, DecedentTO: Name, address, and telephone no.  
Zahia Ahmed Ghaleb Saleh  
7449 Maple Street  
Dearborn, MI 48126  
(734)-662-4426

You have been appointed and qualified as Personal Representative of the estate on

07/23/2014

Date

You are authorized to do and perform all acts authorized by law except as to the following:

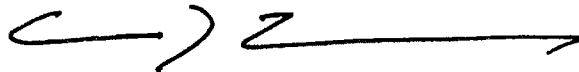
**Restrictions:**

Fiduciary cannot enter into wrongful death or personal injury settlements without Court authority and without the Probate Court setting an appropriate bond in accordance with MCR 2.420.

Real estate is not to be sold, purchased, mortgaged or otherwise alienated without prior Probate Court authority.

These letters expire: 9/17/2015  
Date07/23/2014

Date



Judge Martin T Maher

Bar no. 24099

**SEE NOTICE OF DUTIES ON SECOND PAGE**

MARTA A MANILDI

34757

Attorney name (type or print)

Bar no.

Attorney name (type or print)

Bar no.

7TH FL 101 NORTH MAIN STREET

Address

Address

ANN ARBOR, MI 48104-1400

(734)-668-7790

City, state, zip

Telephone no.


City, state, zip

Telephone no.

I certify that I have compared this copy with the original on file and that it is a correct copy of the original, and on this date, these letters are in full force and effect.

JUL 23 2014

Date



Deputy Probate Register

The Letters of Authority are valid only if issued with the raised seal of the Wayne County Probate Court.

Do not write below this line - For court use only

MCL 700.3103; MCL 700.3307, MCL 700.3414,

MCL 700.3504, MCL 700.3601,;

MCR 5.202, MCR 5.206, MCR 5.307, MCR 5.310

PC 572 (02/13) LETTERS OF AUTHORITY FOR PERSONAL REPRESENTATIVE

Zahia Ahmed Ghaleb Saleh  
7449 Maple Street  
Dearborn, MI 48126